

Town Board Minutes

May 5, 2008

Meeting No. 14

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 5th day of May 2008 at 8:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
DANIEL AMATURA, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
DAVID MARRANO, ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- Executive Session of Town Board
- rezone of property at 3798, 3830, 3840, 3850 and 3860 Walden Avenue
- box culverts on Steinfeldt & Seibert Roads
- use of outside Counsel by the Town

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matter:

- rezone of property at 3798, 3830, 3840, 3850 and 3860 Walden Avenue from RCO to NB

Keicher, Ann, 27 Shadyside Lane, spoke to the Town Board on the following matters:

- concerns regarding student parking on their street

Elhers, Sharon, 31 Shadyside Lane, spoke to the Town Board on the following matter:

- concerns regarding student parking on their street

Fichter, Bill, 655 Harris Hill Road, spoke to the Town Board on the following matter:

- proposed demolition of house at 647 Harris Hill Road

Patsalides, Laurie, 67 W. Drullard Avenue, spoke to the Town Board on the following matter:

- concerns about crime in her neighborhood

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- rezone of property on Walden Avenue
- final plat of the Greens at Pleasant Meadows

Hammann, Kevin, 20 Shadyside Lane, spoke to the Town Board on the following matter:

- concerns regarding student parking on their street

Hoffman, Paul, 29 Shadyside Lane, spoke to the Town Board on the following matter:

- concerns regarding student parking on their street

Kirchoff, Dave, 37 Shadyside Lane, spoke to the Town Board on the following matter:

- concerns regarding student parking on their street

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Permit and Application Fees Ordinance.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Roy Schneggenburger	87 Stony Road	Questions/Comments

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 8:34 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter

May 5, 2008

PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster as petitioned by Affordable Senior Housing for a rezone from Residential District One (R-1) to Multifamily Residential District Four (MFR-4).

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Michael Connors, representing the petitioner, Affordable Senior Housing		Proponent
Susan Gruss	645 Harris Hill Road	Question
Lee Chowaniec	93 Northwood Drive	Questions
Dan Beutler	26 Tyler Street	Questions
Roy Schneggenburger	87 Stony Road	Questions

ON MOTION BY COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 9:11 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

May 5, 2008

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
April 21, 2008 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

NOW, THEREFORE, BE IT

RESOLVED, that Robert H. Giza as Supervisor of the Town of Lancaster, or such person's successor, is hereby authorized and directed to file an application for 50% matching funds in an amount not to exceed \$20,000, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Town of Lancaster for the Town of Lancaster 2008 Tree Planting Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the New York State Liquor Authority requires that an establishment notify the Municipality in which they operate of an application for a liquor license thirty (30) days before it can be considered, and

WHEREAS, Page's Grille & Bar, 4725 Transit Road, Lancaster, New York, by letter dated April 29, 2008, has indicated their intent to apply for a liquor license with the New York State Liquor Authority, and

WHEREAS, Page's Grille & Bar, 4725 Transit Road, Lancaster, New York has requested that the thirty (30) day statutory notification to the Town of Lancaster of an application for a liquor license to the New York State Liquor Authority be waived, and

WHEREAS, this waiver can only be granted by the Town Board in which the premises is located.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is authorized to notify the State Liquor Authority that required notification was received by the Town Clerk on April 29, 2008, and

BE IT FURTHER

RESOLVED, that the Town Board hereby waives the thirty (30) day notification requirement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, David Smith, 6026 Broadway, Lancaster, New York has applied for a Dumping Permit for property situate south of 568 Town Line Road, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board, and

WHEREAS, the source of the fill will be from Town Line Road new water line.

NOW, THEREFORE, BE IT

RESOLVED, that David Smith, 6026 Broadway, Lancaster, New York 14086 be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by applicant south of 568 Town Line Road, Lancaster, New York, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that this permit shall be in accordance with Chapter 22-8 of the Town Code and that the same restrictions shall apply as in the prior dumping permit granted by the Town Board, and

BE IT FURTHER

RESOLVED, that silt fencing is a condition for the issuance of this dumping permit, and

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated on this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Keith Wilkinson, 5360 Genesee Street, Bowmansville, New York
has applied to the Town Board of the Town of Lancaster for permits for Public Improvements
upon real property in the Town of Lancaster within the Lancaster Industrial Commerce Center on
Lancaster Parkway Ext., and

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit applications that he has reviewed the improvement plans and permit
applications for the installation of the public improvements requested, and that they conform to
the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 640, 641 and 642
of Keith Wilkinson, 5360 Genesee Street, Bowmansville, New York, which are permits for Public
Improvements for the installation of:

P.I.P. No. 640 (Water Line)	Lancaster Industrial Commerce Center on Lancaster Parkway Ext. installation of approximately 640± L.F. - 10" PVC (C-900) waterline, various bonds, 1-fire hydrant assembly, 1-10"x6" tee, 1-blow-off assembly
P.I.P. No.641 (Storm Sewer)	Lancaster Industrial Commerce Center on Lancaster Parkway Ext. installation of approximately 240 L.F. of 24" H.D.P.E., 2-standard receivers, 1-light duty rcvr., regrading of 190± L.F. of existing ditch.
P.I.P. No. 642 (Pavement & Curbs)	Lancaster Industrial Commerce Center on Lancaster Parkway Ext. installation of approximately 26,335± s.f. of pavement, 12" sub-base Type 2 R.O.C., 4" Base Type 1, NYSDOT 403.11, 2" Dense Binder Type 3 NYSDOT 403.13, 1" Top Type 7 NYSDOT 403.18, 695 ± LF of 24" or 20" up-right concrete curb (4000 psi)

be and are hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the General Crew Chief, by letter dated April 29, 2008, has requested the appointment of seasonal employees in the Parks, Recreation, and Forestry Department of the Town of Lancaster for the spring/summer season of 2008.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the position of seasonal employees for the spring/summer season of 2008 in the Parks, Recreation, and Forestry Department of the Town of Lancaster, with no benefits, effective May 5, 2008 at the following hourly rates:

NAME	POSITION	RATE/HR.
Jeffrey Au (rehire) 3 Country Place, Lancaster	Laborer	\$8.40
Alex Barnhardt (rehire) 27 Ivy Way, Lancaster	Laborer	\$7.40
Paul DeBergalis (rehire) 47 Hidden Trail, Lancaster	Laborer	\$7.15
Joshua Durkin (rehire) 44 Center Drive, Depew	Laborer	\$7.40
Andrew Geary (rehire) 2079 Como Park Blvd., Lancaster	Laborer	\$7.15
John Gerber (rehire) 17 Country Place, Lancaster	Laborer	\$7.15
Dan Gill (rehire) 40 Lakeside Crescent, Lancaster	Laborer	\$8.15
Steven Goehle (rehire) 5109 William Street, Lancaster	Laborer	\$7.65
D.J. Hibbs (rehire) 75 S. Irwinwood Road, Lancaster	Laborer	\$11.00
Scott Lawniczak (rehire) 23 Woodgate Drive, Lancaster	Laborer	\$8.15
Gregory Meyer (rehire) 2 Petersbrook Circle, Lancaster	Laborer	\$7.90
Ryan Miller (rehire) 25 Lake Forest Pkwy., Lancaster	Laborer	\$7.15
Ryan Mruk (rehire) 76 Pheasant Run Lane, Lancaster	Laborer	\$7.15
Joe Necci (rehire) 78 Brunck Road, Lancaster	Laborer	\$10.00

NAME	POSITION	RATE/HR.
Matthew Oetinger (rehire) 55 Village View, Lancaster	Laborer	\$7.15
Nicholas Pokorski (rehire) 703 Pleasant View Dr., Lancaster	Laborer	\$7.90
Eric Przykuta (rehire) 110 Brunswick Road, Lancaster	Laborer	\$11.50
Patrick Schunk (rehire) 14 West Payne Street, Lancaster	Laborer	\$8.15
Mathew Urbanski (rehire) 258 Marrano Drive, Lancaster	Laborer	\$7.15
Shawn Zaffram (rehire) 28 Tanglewood Drive, Lancaster	Laborer	\$10.00
Timothy Kennuth (rehire) 309 Central Avenue, Lancaster	Recreation Attendant (League Scheduling)	\$10.00

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Supervisor to execute on behalf of the Town the Memorandum of Agreement between the Town and the Hull House Foundation, as presented, in order to provide financial assistance for the support of a historical edifice located within the Town, in the amount of \$2,500 as appropriated in account A7989.449 in the Town's adopted budget for the 2008 fiscal year.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (“Agreement”) is entered into between the Town of Lancaster, New York (“Town”) and the Hull House Foundation, 5976 Genesee Street, Lancaster, New York 14086 (“Foundation”).

WHEREAS, the Foundation is a 501(c)(3) tax exempt organization chartered by the Board of Regents of the State University of New York, and is developing the Hull House Family Home & Farmstead (“Hull House”), located at 5976 Genesee Street, Lancaster, New York, as an educational interpretive center to present the history, culture and architecture of Western New York in the early 19th century; and

WHEREAS, the Hull House is located within Town boundaries, and the Town wishes to support the efforts of the Foundation to restore the Hull House for that purpose; and

WHEREAS, the Town hereby declares that it is in the public interest to so support the restoration of the Hull House, and that such restoration is a valid public purpose; and

WHEREAS, the Town’s support of the Hull House is consistent with law, including the authority provided by Section 57.07 of the Arts and Cultural Affairs Law for municipalities such as the Town to provide financial assistance for the support of historic edifices located within municipal boundaries under an agreement with an historical association such as the Foundation to do so;

NOW, THEREFORE, THE TOWN AND THE FOUNDATION HEREBY AGREE AS FOLLOWS:

1.

The Town shall render payment to the Foundation in the amount of \$2,500 no later than June 30, 2008 for the support of the restoration of the Hull House, provided that prior to that date the Town Board approves by resolution the appropriation of monies for such purpose.
2.

The Foundation agrees that the Town’s payment shall be used for the sole purpose of supporting the restoration of the Hull House, and that such use shall be consistent with the not-for-profit corporations law, the Town’s laws, rules and regulations, and any and all other applicable laws, rules and regulations. The Foundation shall provide to the Town, upon written request, an accounting of the use of the Town’s support payment. The Foundation further agrees that it shall reimburse the Town for such support payment if the Foundation does not comply with the conditions set forth in this paragraph.

For the Town :

For the Foundation:

By:_____

By:_____

Dated:_____

Dated:

Subscribed and sworn to before me
this ____ day of _____, 2008.

Subscribed and sworn to before me
this ____ day of _____, 2008.

Notary Public

Notary Public

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the Town Board of the Town of Lancaster hereby affirms the retention of Hodgson Russ LLP to serve as outside legal counsel to the Town on such matters as may from time to time be directed by the Town Supervisor or the Town Attorney, consistent with the terms set forth in the proposal from Hodgson Russ LLP to the Town dated April 30, 2008.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED NO
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids for one (1) new 11' aluminum chipper body with a PTO driven hoist and trailer towing equipment for use by the Town Highway Department, and

WHEREAS, bids were received, opened and reviewed on April 24, 2008, and

WHEREAS, the Highway Superintendent by letter dated April 25, 2008 has recommended award of the bid to Kaminski and Sons Truck Equipment, 245 Lewis Street, Buffalo, New York 14206, being the lowest responsible bidder in the amount of \$12,770;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for one (1) new 11' aluminum chipper body with a PTO driven hoist and trailer towing equipment for use by the Kaminski and Sons Truck Equipment, 245 Lewis Street, Buffalo, New York 14206, in the amount of \$12,770 being the lowest responsible bidder in conformance with the specifications on file in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster after review and consideration has deemed it in the public interest to demolish and replace box culverts on Siebert Road and Steinfeldt Road and associated reconstruction in the Town of Lancaster, New York, and

WHEREAS, Bond Resolutions were adopted for a combined maximum amount not to exceed \$800,000.00, and

WHEREAS, the Town Board has previously duly advertised for bids for the replacement of box culverts on Siebert Road and Steinfeldt Road in the Town of Lancaster, and

WHEREAS, bids were received, opened and reviewed on April 10, 2008, and

WHEREAS, Wm. Schutt & Associates, P.C., the Town’s consulting engineer by letter dated April 14, 2008 has recommended award of the bid to Nichols, Long & Moore Construction Corporation, 149 Gunnville Road, Lancaster, New York 14086 being the lowest responsible bidder in the amount of \$497,490.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the replacement of box culverts on Siebert Road and Steinfeldt Road in the Town of Lancaster to Nichols, Long and Moore Construction Corporation in the amount of \$497,490.00 being the lowest responsible bidder in conformance with the specifications on file in the office of the Wm. Schutt & Associates, P.C., subject to financing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Supervising Code Enforcement Officer has received information that the building located at 647 Harris Hill in the Town of Lancaster, has become dangerous and unsafe to the general public and unfit and their use or occupancy is prohibited; and

WHEREAS, said building has been inspected and a written report of the condition has been completed by Jeff Simme, Supervising Code Enforcement Officer for the Town of Lancaster, setting forth his findings and recommendations in regard to the repair or demolition and removal of the building, and said written report describes extensive deterioration and damage to the building and premises and recommends that the building be demolished and removed; and

WHEREAS, the Town Board has fully considered such written report and has determined that the building is dangerous and unsafe to the general public and unfit for the purposed for which it may lawfully be used.

NOW THEREFORE, BE IT

RESOLVED, that pursuant to Section 44-3 of the Code of the Town of Lancaster, a Public Hearing on the proposed demolition will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of May, 2008, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the Lancaster Bee, newspaper of general circulation in said Town on May 8, 2008 and be posted on the Town Bulletin Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

**LEGAL NOTICE
PUBLIC HEARING
647 HARRIS HILL
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on May 5, 2008 , the said Town Board will hold a Public Hearing on the 19th day of May, 2008 at 8:30 o'clock P.M. Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed demolition of an unsafe building notice of removal of such structure by the Town of Lancaster in the event that the owner refuses to repair or remove himself.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of the north part of Lot No. 6, Section 11, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the east line of said Lot No. 6, said line being also the centerline of Harris Hill Road, at a point 445 feet southerly from the north line of said Lot No. 6;

THENCE WESTERLY parallel with the north line of said Lot No. 6 a distance of 250 feet to a stake;

THENCE SOUTHERLY parallel with the east line of said Lot NO. 6 a distance of 50 feet to a stake;

THENCE EASTERLY and parallel with the north line of said Lot No. 6 a distance of 250 feet to the east line of said Lot No. 6 and the centerline of Harris Hill Road;

THENCE NORTHERLY along the east line of said Lot No. 6 a distance of 50 feet to the point or place of beginning.

SUBJECT to the rights of the public and the County of Erie in and to that portion of premises lying within the bounds of Harris Hill Road;

SUBJECT ALSO to the rights of Erie County Sewer District No. 4 to a certain easement for sanitary sewer purposes across the front of premises,

It being the obligation of the grantors to pay all real property taxes, utility bills, fire and liability insurance and costs of ordinary maintenance; costs of major repairs share be negotiated between the grantors and the grantee.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Frank Todaro, 22 Hillside Parkway, Lancaster, New York 14086,
the contract vendee for the rezone of a parcel of land located on 5035 Transit Road, Lancaster,
New York has petitioned the Town Board of the said Town for the rezone of said property from
a General Business (GB) to Commercial and Motor Service (CMS), and

WHEREAS, the Petition has been referred to the Planning Board of the Town of
Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the
State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21
Central Avenue, Lancaster, New York, on the 19th day of May, 2008, at 8:35 o'clock P.M.,
Local Time, and that Notice of the Time and Place of such Hearing be published in the
Lancaster Bee, a newspaper of general circulation in said Town on May 8, 2008, and be posted
on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County
Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which
Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

**LEGAL NOTICE
REZONE - PUBLIC HEARING
5035 TRANSIT ROAD
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on May 5, 2008, the said Town Board will hold a Public Hearing on the 19th day of May, 2008 at 8:35 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from General Business (GB1) to Commercial and Motor Service (CMS):

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 11, Section 10, Township 11, Range 6 of the Holland Land Survey, and further distinguished as Subdivision Lots Numbers one (1) to three (3) inclusive and Subdivision Lots thirty (30) to thirty-four (34) inclusive, Block Number fourteen (14) as shown on a map filed in the Erie County Clerk's Office under Cover Number 556.

EXCEPTING AND RESERVING from the above described premises the westerly seventeen (17) feet of Subdivision Lots Numbers one (1) to three (3) inclusive, Block Number fourteen (14) as shown on a map filed in the Erie County Clerk's Office under Cover Number 556.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, a Public Hearing was held on the 7th day of April, 2008, on the petition of **Pleasant Meadows Associates, LLC**, 2730 Transit Road, West Seneca, New York, the owner of a parcel of land located on 3798, 3830, 3840, 3850, and 3860 Walden Avenue, Lancaster, New York, has petitioned the Town Board of the said Town for the rezone of said property from a Residential Commercial Office District (RCO) to Neighborhood Business District (NB), and

WHEREAS, the Planning Board of the Town of Lancaster at its meeting held March 5, 2008, recommended approval of the rezone and

WHEREAS, a SEQR review was completed on the proposed rezone and project on April 7, 2008 and a Negative Declaration issued, and

WHEREAS, a Notice of said Hearing has been duly published and posted, and

WHEREAS, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. No building shall be permitted 150' from present property line to the west.
2. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from a Residential Commercial Office District (RCO) to Neighborhood Business District (NB):

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York being part of Lots 7 and 9, Section 8, Township 11, Range 6 of the Holland Land Survey (so-called) bounded and described as follows:

BEGINNING at the point of intersection of the northerly boundary line of Walden Avenue with the easterly line of lands conveyed to Pleasant Meadows Associates, LLC by Deed recorded in Liber 11012 of Deeds at page 165;

THENCE: Along the northerly boundary line of Walden Avenue the following three (3) courses and distances:

- 1.) S-78°-10'-26"-W, a distance of 233.59 feet to a point;
- 2.) S-77°-50'-53"-W, a distance of 1,250.63 feet to a point;
- 3.) S-78°-08'-04"-W, a distance of 91.23 feet to a point;

THENCE: Through said Pleasant Meadows Associates, LLC lands the following six (6) courses and distances:

- 1.) N-00°-15'-58"-E, parallel with the westerly line of said Pleasant Meadows Associates, LLC lands distant 100.00 feet easterly therefrom as measured at right angles a distance of 628.48 feet to a point;
- 2.) N-84°-11'-02"-E, a distance of 254.25 feet to a point;
- 3.) N-53°-16'-58"-E, a distance of 524.40 feet to a point;
- 4.) N-87°-49'-28"-E, a distance of 715.00 feet to a point;
- 5.) N-55°-39'-40"-E, a distance of 135.00 feet to a point;
- 6.) S-89°-05'-55"-E, a distance of 50.00 feet to a point on the easterly line of said Pleasant Meadows Associates, LLC lands;

THENCE: S-00°-54'-05"-W, along said easterly line, a distance of 740.46 feet to the **POINT OR PLACE OF BEGINNING** containing 25.506 acres be the same more or less.

- 3. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 5th day of May, 2008;
- 4. That a certified copy thereof be published in the Lancaster Bee, on or before the 8th day of May, 2008;
- 5. That Affidavits of Publication be filed with the Town Clerk; and
- 6. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

**LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER
PLEASANT MEADOWS ASSOCIATES LLC
3978,3830,3840,3859,3860 WALDEN AVENUE**

LEGAL NOTICE IS HEREBY GIVEN that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from a Residential Commercial Office District (RCO) to Neighborhood Business District (NB).

3978,3830,3840,3859,3860 Walden Avenue

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York being part of Lots 7 and 9, Section 8, Township 11, Range 6 of the Holland Land Survey (so-called) bounded and described as follows:

BEGINNING at the point of intersection of the northerly boundary line of Walden Avenue with the easterly line of lands conveyed to Pleasant Meadows Associates, LLC by Deed recorded in Liber 11012 of Deeds at page 165;

THENCE: Along the northerly boundary line of Walden Avenue the following three (courses) and distances:

- 1.) S-78°-10-26"-W, a distance of 233.59 feet to a point;
- 2.) S-77°-50'-53"-W, a distance of 1,250.63 feet to a point;
- 3.) S-78°-98'-04"-W, a distance of 91.23 feet to a point;

THENCE: Through said Pleasant Meadows Associates, LLC lands the following six (6) courses and distances:

- 1.) N-00°-15'-58"-E, parallel with the westerly line of said Pleasant Meadows Associates, LLC lands distant 100.00 feet easterly therefrom as measured at right angles a distance of 628.48 feet to a point;
- 2.) N-84°-11'-02"-E, a distance of 254.25 feet to a point;
- 3.) N-53°-16'-58"-E, a distance of 524.40 feet to a point;
- 4.) N-87°-49'-28"-E, a distance of 715.00 feet to a point;
- 5.) N-55°-39'-40"-E, a distance of 135.00 feet to a point;
- 6.) S-89°-05'-55"-E, a distance of 50.00 feet to a point on the easterly line of said Pleasant Meadows Associates, LLC lands;

THENCE: S-00°-54'-05'-W, along said easterly line, a distance of 740.46 feet to the **POINT OR PLACE OF BEGINNING** containing 25.506 acres be the same more or less.

May 5, 2008

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

THIS IS TO CERTIFY that I, Johanna M. Coleman, Town Clerk of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an ordinance on the 5th day of May, 2008 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto signed my hand and affixed the Seal of said Town this 5th day of May, 2008.

(S E A L)

Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Pleasant Meadows LLC, 2730 Transit Road, West Seneca, New York 14224 has heretofore applied for approval of a 63 single family homes development to be known as “The Greens at Pleasant Meadows Subdivision” located west of Juniper Blvd., south of Pleasantview in the Town of Lancaster, and

WHEREAS, the Planning Board and Town Engineer have given their approval to the filing of this Subdivision, and

WHEREAS, the Town acting as lead agency has completed an environmental review in conformance with SEQR (State Environmental Quality Review) regulations, and

WHEREAS, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

**NOW, THEREFORE, BE IT
RESOLVED, as follows:**

1. That the Town Board of the Town of Lancaster hereby approves the proposed 63 single family homes development final plat as prepared by Greenman-Pedersen, Inc. Consulting Engineers dated April 11, 2008 and filed with the Town Clerk on April 24, 2008 for the development to be known as “The Greens at Pleasant Meadows Subdivision” for filing in the Erie County Clerk’s office.
2. That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, a vacancy exists in the Town Attorney's Office in the position of Clerk Typist, and

WHEREAS, the current competitive civil service list for the position of Clerk Typist has been duly canvassed by the Town Attorney, and Leza E. Braun qualifies for appointment to this position pursuant to the procedures as set forth in the Civil Service Law, and

WHEREAS, authorization for such appointment was received from Erie County Personnel Department.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Leza E. Braun, 25 Meadow Lea Drive, Lancaster, New York be and is hereby appointed to the permanent civil service competitive position of Clerk Typist, full time, in the Office of the Town Attorney, with full benefits, effective May 6, 2008.
2. That the position of Clerk Typist is considered to be a confidential appointment and not part of the CSEA White Collar Collective Bargaining Unit.
3. That the salary for this position shall be on step for the period May 6, 2008 - December 31, 2008, with a starting salary of \$32,218 per annum which is 85% of the full rate of \$37,904, with subsequent salary steps in accordance with Town Policy.
4. That the Supervisor take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, a vacancy exists in the Supervisor's Office for the recently created position of Clerk-Typist, and

WHEREAS, Valerie Banach is presently Secretary to the Supervisor, full-time in the Supervisor's Office, and

WHEREAS, the current competitive civil service list for the position of Clerk Typist has been duly canvassed and Valerie Banach qualifies for appointment to this position pursuant to the procedures as set forth in the Civil Service Law, and

WHEREAS, authorization for such appointment was received from Erie County Personnel Department.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the position of Clerk Typist in the Supervisor's Office is part of the CSEA White Collar Collective Bargaining Unit.
2. That Valerie Banach, 25 Southwest Parkway, Lancaster, New York 14086, be and is hereby appointed to the permanent civil service position of Clerk Typist, full time, in the Supervisor's Office, effective May 6, 2008, at a salary of \$37,904, and benefits as set forth in the CSEA White Collar Collective Bargaining Agreement.
3. In consideration of Valerie Banach's prior service with the Town of Lancaster, Valerie is credited with her prior years of full-time employment for the purpose of salary step completion, vacation benefit entitlement, and accumulated sick leave.
4. That the Supervisor take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town Board desires to abolish one (1) position of Working Crew Chief in the Town of Lancaster Highway Department.

_____ **NOW, THEREFORE, BE IT**

RESOLVED, as follows:

1. That one (1) position of Working Crew Chief be abolished in the Town of Lancaster Highway Department.
2. That this resolution shall be effective May 5, 2008.
3. That the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED NO
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 2004 to Claim No. 2199 Inclusive

Total amount hereby authorized to be paid: \$386,860.66

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

15442	HD Unlimited	10 Park Walk	Er. Pool-Abv Grnd	
15443	Taton, Kimberly	75 Pleasant Ave	Er. Res. Add.	(V/L)
15444	Pro Line Pools	20 St Marys St	Er. Pool-Abv Grnd	(V/L)
15445	The Home Professionals	3717 Bowen Rd	Re-Roof House	
15446	Kinmartin, Paul	3784 Walden Ave	Er. Shed	
15447	Besroi Construction	6 Robins Nest Ct	Re-Roof House	
15448	Walleshauser, Kenneth	39 Bentley Cir	Er. Pool-Abv Grnd	
15449	Buscaglia Decks	24 Red Clover Ln	Er. Deck	
15450	Lancaster Home Impr	56 Brunck Rd	Er. Shed	
15451	Sun Enterprises	2 Heathrow Ct	Er. Shed	
15452	FPS Properties LLC	4474 Walden Ave	Er. Comm. Add.	
15453	SW RM Donnelly Builders	121 Peppermint Rd	Er. Dwlg.-Sin.	
15454	Neth & Son Inc	60 Vandenberg Ave	Re-Roof House	(V/L)
15455	Southpaw Const.	28 Burwell Ave	Re-Roof House	(V/L)
15456	Southpaw Const.	110 Sawyer Ave	Re-Roof House	(V/L)
15457	Maple Guy Const	87 Michael's Walk	Re-Roof House	
15458	Big L Distributors	291 Ransom Rd	Er. Res. Alt.	
15459	Pro Line Pools	12 Wendtworth Ct	Er. Pool-Abv Grnd	
15460	Designer Pools Inc	129 Peppermint Rd	Er. Pool-In Grnd	
15461	Designer Pools Inc	129 Peppermint Rd	Er. Fence	
15462	All Around Fencing	1276 Ransom Rd	Er. Fence	
15463	Marshall, Michael	7 Highland Pl	Er. Res. Alt.	(V/L)
15464	Buscaglia Decks	66 Kennedy Ct	Er. Deck	
15465	Premier Fence Co	111 William Kidder Rd	Er. Fence	
15466	South Paw Construction	183 Ransom Rd	Re-Roof House	
15467	Duro-Shed Inc	1 Heathrow Ct	Er. Shed	
15468	Neth & Son Inc	17 Riemers Ave	Re-Roof House	
15469	Neth & Son Inc	66 Williamsburg Ln	Re-Roof House	
15470	Neth & Son Inc	4 Robins Nest Ct	Re-Roof House	
15471	City Fence	122 Pheasant Run Ln	Er. Fence	
15472	Village Of Lancaster	W Drullard Ave	Er. Comm. Add.	(V/L)
15473	Kulback's Const.	6061 Broadway	Er. Comm. Bldg.	
15474	North Forest Devel.	2821 Wehrle Dr	Er. Sign-Wall - Suite 5	
15475	North Forest Devel.	2821 Wehrle Dr	Er. Sign-Wall - Suite 6	
15476	Tate, William	10 Joseph Dr	Er. Shed	
15477	Abati, Timothy	561 Lake Ave	Re-Roof House	
15478	Spahn, Michael	60 Southpoint Dr	Er. Pool-Abv Grnd	

15479	Lenhard, Matthew	69 Michael's Walk	Er. Deck	
15480	Duro-Shed Inc	157 Broezel Ave	Er. Shed	
15481	Iroquois Fence Co	6 Overlook Ct	Er. Fence	
15482	Bonk, Daniel	175 Court St	Er. Garage	(V/L)
15483	Deli Shop	5071 Transit Rd	Er. Sign-Temp	
15484	Niagara Construction	422 Westwood Rd	Re-Roof House	
15485	Lorentz, David	410 Ransom Rd	Er. Shed	
15486	Amanti, Joseph	25 Sagebrush Ln	Er. Deck	
15487	HD Unlimited Inc	38 Whitestone Ln	Er. Pool-Abv Grnd	
15488	Fix, Richard	76 Robert Dr	Er. Pool-Abv Grnd	(V/L)
15489	Irish Construction	300 Enchanted Forest	Er. Fence	
15490	Avalon Pool	123 Simme Rd	Er. Pool-Abv Grnd	
15491	Duro-Shed Inc	52 Hess Pl	Er. Shed	
15492	Shehan, Jerome	15 Fieldstone Ln	Er. Shed	
15493	Pro Line Pools	23 Plumb Creek Trl	Er. Pool-Abv Grnd	
15494	CL&F Development	29 Sawgrass Ln	Er. Shed	
15495	Kral, David	69 Cowing St	Re-Roof House	(V/L)
15496	Wrobel, Todd	5623 Genesee St	Er. Pool-Abv Grnd	
15497	Neth & Son	27 Steinfeldt Rd	Re-Roof House	
15498	Duro-Shed Inc	20 Sawgrass Ln	Er. Shed	
15499	Green, Wilbert	72 Erie St	Er. Deck	(V/L)
15500	Premier Renovations	157 Erie St	Re-Roof House	(V/L)
15501	Davey, Randy	145 Albert Dr	Er. Res. Add.	(V/L)
15502	Conklin, John	20 Lombardy St	Er. Pool-Abv Grnd	(V/L)
15503	Capital Fence Co Inc	206 N Maple Dr	Er. Fence	
15504	Jaskier, Jeffrey	10 Hidden Trl	Er. Deck	
15505	Pawelski, John	71 Country Pl	Er. Shed	
15506	Sunset Builders	50 School St	Re-Roof House	(V/L)
15507	Kranso, William	660 Hall Rd	Er. Res. Add.	
15508	RGGT LLC	459 Pleasant View Dr	Re-Roof House	
15509	Sanders, Wayne	438 Pleasant View Dr	Re-Roof House	
15510	Salvatore Development	6675 Transit Rd	Er. Comm. Bldg.	
15511	Wilcox Brothers Signs	52 Freeman Dr	Er. Sign	
15512	Wilcox Brothers Signs	52 Freeman Dr	Er. Sign-Wall	
15513	Forbes Homes Inc	45 Sawgrass Ln	Er. Dwlg.-Sin.	
15514	Duro-Shed Inc	11 St Anthony St	Er. Shed	
15515	Duck, Glenn	7 Lombardy St	Re-Roof House	(V/L)
15516	Paul, Daniel	12 Wendtworth Ct	Er. Deck	
15517	Majestic Pools Inc	3566 Bowen Rd	Er. Pool-Abv Grnd	
15518	Crist Construction	37 Southpoint Dr	Er. Res. Add.	
15519	Penner, Paul	151 Fourth Ave	Er. Fence	(V/L)
15520	Murray, G. Scott	20 Nichter Rd	Er. Shed	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 5, 2008

COMMUNICATIONS & REPORTS

203. Senior Code Enforcement Officer and Town Engineer to Town Board -
Recommend renewal of dumping permit for David Smith, south of 568 Townline Road.
DISPOSITION = Resolution 5/5/2008
204. NYS DEC to Town Board -
Notice of public hearings to be held regarding the Region 9 Open Space Conservation Plan. DISPOSITION = Received & Filed
205. National Center for Missing & Exploited Children to Supervisor -
Request permission to include Town of Lancaster in "Ride for Missing Children" on Friday, May 9, 2008. DISPOSITION = Received & Filed
206. NYS Division of Alcoholic Beverage Control, State Liquor Authority to Town Board -
Transmittal of letter regarding changes and improvements in liquor license application process. DISPOSITION = Received & Filed
207. NYS DEC to Erie County Water Authority -
Notification of lead agency designation and comments regarding proposed radio antenna installation at 8630 Main Street in the Town of Clarence. DISPOSITION = Town Attorney
208. Town of Cheektowaga to Town Board -
Solicitation for Lead Agency Status regarding proposed zoning amendment "Accessory Drive Through Regulations". DISPOSITION = Town Attorney
209. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held April 16, 2008. DISPOSITION = Received & Filed
210. Planning Board to Town Board -
Recommend approval of Rezone Petition of 5035 Transit Road; comment noted.
DISPOSITION = For Public Hearing
211. Planning Board to Town Board -
Recommend approval of Sketch Plan of Deer Run Estates Subdivision, west side of Lake Avenue, south of William Street; conditions noted. DISPOSITION = Planning Committee
212. Greater Buffalo-Niagara Regional Transportation Council to Town Board -
Notice of meeting to be held Wednesday, May 7, 2008, 9:30 AM at Niagara Falls.
DISPOSITION = Received & Filed
213. Highway Superintendent to Town Board -
Request resolution to award bid for Chipper Box to Kaminski and Sons Truck Equipment, the low bidder. DISPOSITION = Resolution 5/5/2008
214. NYS DEC to Town Attorney -
Notice of lead agency designation regarding rezone petition of 5053 Transit Road; comments noted. DISPOSITION = Planning Committee
215. Town Clerk to Teresa Justinger -
Acknowledgment of letter received regarding debris created by on-going projects in the vicinity of Wainwright Court. DISPOSITION = Building Inspector
216. Page's Grille to Town Clerk -
Request to waive 30 day notice to renew liquor license for Page's Grille & Bar.
DISPOSITION = Resolution 5/5/2008
217. Frank's Grille to Town Clerk -
Notice of intent to install outside patio on east side of building. DISPOSITION = Planning Committee

218. Village of Lancaster to Town Board -
Minutes of organizational meeting held April 14, 2008. DISPOSITION = Received & Filed
219. Village of Lancaster to Town Board -
Minutes of meeting held April 14, 2008. DISPOSITION = Received & Filed
220. Village of Lancaster to Town Board -
Minutes of meeting held April 21, 2008. DISPOSITION = Received & Filed
221. Town Clerk to Town Board -
Transmittal of application for special use permit for Richard Koch, CPA, 60 Michael's Walk. DISPOSITION = Town Attorney
222. Highway Superintendent to Planning Board -
Notice of no concerns regarding Final Plat Submission for "Greens at Pleasant Meadows" Subdivision. DISPOSITION = Planning Committee
223. Highway Superintendent to Planning Board -
Notice of no concerns regarding site plan for Orville's Appliances addition. DISPOSITION = Planning Committee
224. Town Historian to Supervisor -
Notice of resignation as Town Historian with recommendation for replacement. DISPOSITION = Received & Filed
225. Town Clerk to Town Board -
Transmittal of third settlement payment for 2008 County/Town Tax Warrant. DISPOSITION = Received & Filed
226. NYS Executive Chamber to Town Clerk -
Acknowledgment of receipt of resolution regarding text messaging while operating a motor vehicle. DISPOSITION = Received & Filed
227. Town Assessor to Pastor, Vine Wesleyan Church -
Notice of Real Property Tax Exemption granted for 5335 William Street, SBL# 127.00-3-1. DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the meeting was adjourned at 10:20 P.M.

Signed _____
Johanna M. Coleman, Town Clerk

